

Peter Brinton - EWP \$3300.00 Bond

S104110037
Task: 4115

From: "Cynthia E. Nielsen" <cynthia_segis@xmission.com>
To: <peterbrinton@utah.gov>, <wwetzel@blm.gov>
Date: 6/17/2011 10:13 AM
Subject: EWP \$3300.00 Bond
CC: "'Gordon Topham'" <gtopham@sevier.utah.gov>, "'gary mason'" <garymason7@...
Attachments: Bond Release \$3300.00.doc

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Div. of Oil, Gas & Mining

Please refer to the attachment for the status of the Bond in place with the State of Utah and its potential use for flooding mitigation.

If you have any questions, please call.

Cynthia Nielsen
435-896-4831

PNB 6/20/11

**SEVIER COUNTY
689 W 2630 SOUTH
RICHFIELD, UTAH 84701**

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JUN 20 2011
Div. of Oil, Gas & Mining

June 16, 2011

6/20/2011

Ref: Bull Claim Rock Quarry, EWP project

Notifications:

State of Utah, Department of Natural Resources:

Peter Brinton ENGINEER 435-896-2461 peterbrinton@utah.gov

(435) 896-1501 wwetzel@blm.gov

BLM: Wayne Wetzel, ASSOCIATE FIELD MANAGER

Sevier County:

Mark Rickenbach Road Supervisor (435) 896-4831 countyrd@xmission.com

In October 19, 2007 Sevier County issued a check for \$13,300.00 to the State of Utah Department of Treasury, Department of Natural Resources Division of Oil, Gas & Mining to cover a bond (SO410037) requested for the EWP Sevier River project. The project was completed when the site was seeded in November 2008. In January, 2009, Sevier County requested a refund of the surety and was told that \$10,000.00 of the \$13,300.00 would be refunded but \$3,300.00 would be held for a period of three years to insure the seeding process. Sevier County did receive the \$10,000.00 refund in 2009.

In 2011, release of the final \$3,300.00 was requested. In communication with Peter Brinton of the DNR he indicated that the final release of the \$3,300.00 was approved but suggested that Sevier County might want to keep the existing bond in place and maintain access to the Bull Hill Claim Rock Quarry since the current flooding situation might necessitate river repairs requiring a rock source.

In conversation with Mark Rickenbach he indicated that keeping the rock source would be prudent until which time the flooding damage and mitigation could be determined.

Therefore, the bond balance of \$3,300.00 will remain with the DNR with the understanding that when needed, the County would be required to:

1. Send notice of intent to use to the DNR.
2. Stipulate whether the existing disturbed area would satisfy the current need and request additional area accordingly. An amendment issued by the DNR

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with BLM approval would then be necessary to establish a larger disturbed area.

3. Understanding that additional bond surety would probably be required to satisfy the new usage.
4. If "no intent to use" was determined by, the monies would be refunded to Sevier County.

Sincerely,

Cynthia Nielsen
Sevier County

CC: Sevier County Commissioners: Gordon Topham, Gary Mason, Garth "Tooter" Ogden
Steve Wall, Clerk Auditor